

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AARON LYNDALE COOPER, No. C 08-1516 SI (pr)

Petitioner, **ORDER**

v.

JEANNE S. WOODFORD,

Respondent.

After the petition for writ of habeas corpus was denied and judgment entered, petitioner filed a notice of appeal. A week after filing the notice of appeal, he filed a motion for reconsideration and a motion requesting appointment of counsel.

This court lacks jurisdiction to consider the motion for reconsideration because there is an appeal pending. See Williams v. Woodford, 384 F.3d 567, 586 (9th Cir. 2004). The court also construes the motion to request the court to indicate it would entertain a motion for relief from the judgment, see id., and declines that request. The motion for reconsideration is DENIED. (Docket # 27.)

Petitioner's motion for appointment of counsel also is DENIED because his case has concluded in this court. (Docket # 28.) The denial of this motion is without prejudice to him filing such a motion in the Ninth Circuit.

All further motions should be filed in the Ninth Circuit rather than in the district court.

IT IS SO ORDERED.

DATED: July 20, 2010

  
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SUSAN ILLSTON  
United States District Judge